



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Eidenschink, Weber, Jagger and Brown
Application No.:	10/784337
Filed:	February 23, 2004
For:	Apparatus and Method for Crimping a Stent Assembly
Examiner:	Not Yet Assigned
Group Art Unit:	Not Yet Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2B-11319-US01

TRANSMITTAL LETTER

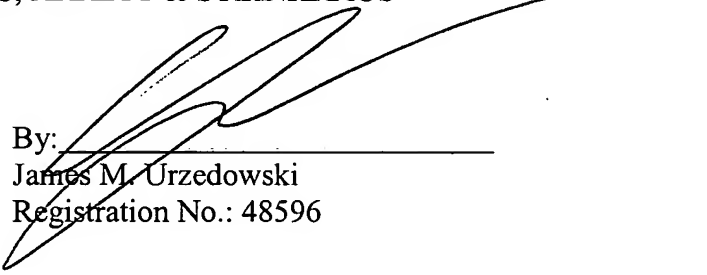
1. In regard to the above-identified application, in addition to this 2 page transmittal letter, we are submitting the attached:
4 page Information Disclosure Statement; 8 pages of references; 12 references; and Postcard.
2. With respect to fees:
 - No additional fee is required.
 - Attached is check(s) in the amount of \$
 - Charge additional fee to our Deposit Account No. 22-0350.
3. **CONDITIONAL PETITION FOR EXTENSION OF TIME**
This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350.

Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: March 17, 2004

By: 
James M. Urzedowski
Registration No.: 48596

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Certificate Under 37 CFR 1.8: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as FIRST CLASS MAIL, addressed to Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450, on March 18, 2004.


Charlene M. Burt



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INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached form listing the cited references and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If the form listing the cited references or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is prior art, or is or is considered to be, material to patentability as defined in §1.56.

Applications that are listed on the accompanying form listing the cited references as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the form listing the cited references and/or 892 forms from these cases.

☒ I. This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- ☒ (1) within 3 months of the filing date of the application (other than a CPA); or
- ☒ (2) within 3 months of entry of the national stage; or
- ☐ (3) before the mailing of a first Office Action on the merits;
- ☐ (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- ☐ (5) as part of a continued prosecution application (CPA); or
- ☐ (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

☐ II. This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

- ☐ (1) a certification as specified in §1.97(e) is provided below; or
- ☐ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

_____ **III. 37 C.F.R. §1.97(d).** If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- _____ (1) a certification as specified in §1.97(e) is completed below; and
_____ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

X **IV. Fee Authorization.** If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

If paragraph II.1 or III is checked, also check one of the paragraphs below

_____ I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

_____ This communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

_____ I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

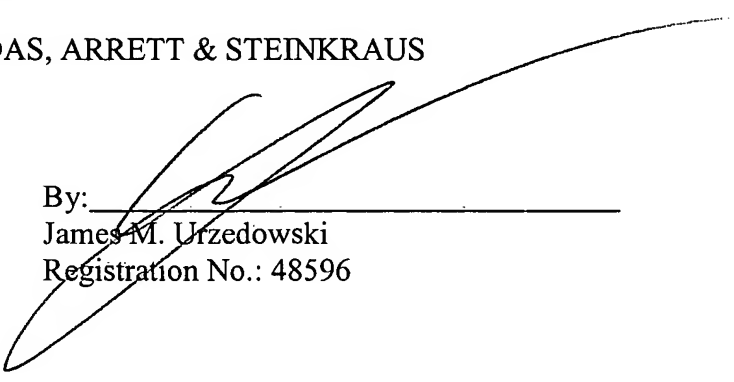
For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: March/7, 2004

By: 
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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			ATTY DOCKET NO.: S63.2B-11319-US01		APPLICATION NO.: 10/784337	
			APPLICANT: Eidenschink, Weber, Jagger et al			
			FILING DATE: February 23, 2004		GROUP: Not Assigned	
REFERENCE DESIGNATION			U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2001/0049548 A1	12/06/2001	Vardi et al.	623/1.11	
	AB	2002/0019664 A1	02/14/2002	Douglas	623/1.35	
	AC	2002/0019665 A1	02/14/2002	Dehdashtian et al.	623/1.35	
	AD	2002/0022874 A1	02/21/2002	Wilson	623/1.11	
	AE	2002/0038140 A1	03/28/2002	Yang et al	623/1.12	
	AF	2002/0038141 A1	03/28/2002	Yang et al	623/1.12	
	AG	2002/0072755 A1	06/13/2002	Bigus et al	606/108	
	AH	2002/0111675 A1	08/15/2002	Wilson	623/1.35	
	AI	2002/0116045 A1	08/22/2002	Eidenschink	623/1.11	
	AJ	2002/0120320 A1	08/29/2002	Wang et al	623/1.11	
	AK	2003/0055484 A1	03/20/2003	Lau et al	623/1.13	
	AL	2003/0195546 A1	10/16/2003	Solar et al	606/192	
	AM	4,448,195	05/15/1984	Leveen et al.	128/344	
	AN	4,484,585	11/27/1984	Baier	128/748	
	AO	4,601,701	07/22/1986	Mueller Jr.	604/83	
	AP	4,769,005	09/06/1988	Ginsburg et al.	604/53	
	AQ	4,776,337	10/11/1988	Palmaz	128/343	
	AR	4,913,141	04/03/1990	Hillstead	606/108	
	AS	4,994,071	02/19/1991	MacGregor	606/194	
	AT	4,998,923	03/12/1991	Samson et al.	606/194	
	AU	5,019,085	05/28/1991	Hillstead	606/108	
	AV	5,122,154	06/16/1992	Rhodes	606/198	
	AW	5,195,984	93/23/1993	Schatz	606/195	
	AX	5,219,355	06/15/1993	Parodi et al.	606/191	
	AY	5,316,023	05/31/1994	Palmaz et al.	128/898	
	AZ	5,397,305	03/14/1995	Kawula et al.	604/96	
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						

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	AA	5,449,353	09/12/1995	Samson et al.		
	AB	5,477,856	12/26/1995	Lundquist		
	AC	5,632,763	05/27/1997	Glastra		
	AD	5,643,278	07/01/1997	Wijay		
	AE	5,683,345	11/04/1997	Waksman et al.		
	AF	5,697,971	12/16/1997	Fischell et al.		
	AG	5,725,519	03/10/1998	Penner et al.		
	AH	5,749,825	05/12/1998	Fischell et al.		
	AI	5,755,734	05/26/1998	Richter et al.		
	AJ	5,755,735	05/26/1998	Richter et al.		
	AK	5,755,778	05/26/1998	Kleshinski		
	AL	5,772,669	06/30/1998	Vrba		
	AM	5,797,952	08/25/1998	Klein		
	AN	5,873,906	02/23/1999	Lau et al.		
	AO	5,876,374	03/02/1999	Alba et al.		
	AP	5,893,868	04/13/1999	Hanson et al		
	AQ	5,906,640	05/25/1999	Penn et al.		
	AR	5,908,405	06/01/1999	Imran et al.		
	AS	5,921,995	07/13/1999	Kleshinski		
	AT	5,935,161	08/10/1999	Robinson et al.		
	AU	5,941,908	08/24/1999	Glodsteen et al.		
	AV	5,951,569	09/14/1999	Tuckey et al		
	AW	5,957,929	09/28/1999	Brenneman		
	AX	5,961,546	10/05/1999	Robinson et al.		
	AY	5,961,548	10/05/1999	Shmulewitz		
	AZ	6,013,092	01/11/2000	Dehdashtian et al.		
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	AA	6,017,362	01/25/2000	Lau	623/1	
	AB	6,027,460	02/22/2000	Shturman	600/585	
	AC	6,033,434	03/07/2000	Borghi	623/1	
	AD	6,048,361	04/11/2000	Von Oepen	623/1	
	AE	6,056,722	05/02/2000	Jayaraman	604/102	
	AF	6,056,775	05/02/2000	Borghi et al.	623/1.16	
	AG	6,059,813	05/09/2000	Vrba et al.	606/198	
	AH	6,071,286	06/06/2000	Mawad	606/108	
	AI	6,077,297	06/20/2000	Robinson et al.	623/1.11	
	AJ	6,090,127	07/18/2000	Globerman	606/194	
	AK	6,096,073	08/01/2000	Webster et al.	623/1.16	
	AL	6,110,191	08/29/2000	Dehdashtian et al.	606/192	
	AM	6,117,156	09/12/2000	Richter et al.	606/194	
	AN	6,120,522	09/19/2000	Vrba et al.	606/190	
	AO	6,132,450	10/17/2000	Hanson et al.	606/198	
	AP	6,143,014	11/7/2000	Dehdashtian et al.	606/192	
	AQ	6,146,415	11/14/2000	Fitz	623/1.11	
	AR	6,152,944	11/28/2000	Holman et al.	623/1.11	
	AS	6,165,195	12/26/2000	Wilson et al.	606/194	
	AT	6,165,210	12/26/2000	Lau et al.	623/1.12	
	AU	6,187,015	02/13/2001	Brenneman	606/108	
	AV	6,190,360	02/20/2001	Iancea et al.	604/164.09	
	AW	6,190,393	02/20/2001	Bevier et al.	606/108	
	AX	6,210,380	04/03/2001	Mauch	604/284	
	AY	6,210,431	04/03/2001	Power	623/1.11	
	AZ	6,221,090	04/24/2001	Wilson	606/194	
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	AA	6,221,097	04/24/2001	Wang et al.	623/1.11	
	AB	6,224,587	05/01/2001	Gibson	604/528	
	AC	6,238,410	05/29/2001	Vrba et al.	606/198	
	AD	6,246,914	06/12/2001	De la Rama et al.	607/122	
	AE	6,254,593	07/03/2001	Wilson	606/1.11	
	AF	6,258,052	07/10/2001	Milo	604/22	
	AG	6,258,073	07/10/2001	Mauch	604/284	
	AH	6,264,688	07/24/2001	Herklotz et al	623/1.16	
	AI	6,287,277	09/11/2001	Yan	604/96.01	
	AJ	6,287,330	09/11/2001	Johansson et al.	623/1.13	
	AK	6,290,673	09/18/2001	Shanley	604/102.02	
	AL	6,299,636	10/09/2001	Schmitt et al.	623/1.2	
	AM	6,319,275	11/20/2001	Lashinski et al.	623/1.11	
	AN	6,322,548	11/27/2001	Payne et al.	604/500	
	AO	6,361,544	03/26/2002	Wilson et al.	606/194	
	AP	6,361,555	04/26/2002	Wilson	623/1.11	
	AQ	6,364,893	04/02/2002	Sahatjian et al.	606/194	
	AR	6,371,978	04/16/2002	Wilson	623/1.11	
	AS	6,375,660	04/23/2002	Fischell et al.	606/108	
	AT	6,379,372	04/30/2002	Dehdashtian et al.	606/192	
	AU	6,387,120	05/14/2002	Wilson et al.	623/1.11	
	AV	6,391,050	05/21/2002	Broome	623/1.11	
	AW	6,406,487	06/18/2002	Brenneman	623/1.11	
	AX	6,406,489	06/18/2002	Richter et al.	623/1.16	
	AY	6,416,529	07/09/2002	Holman et al	606/194	
	AZ	6,436,104	08/20/2002	Hojeibane	606/108	
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	AA	6,443,980	09/03/2002	Wang et al	623/1.35	
	AB	6,475,166	11/05/2002	Escano	600/585	
	AC	6,482,211	11/19/2002	Choi	606/108	
	AD	6,488,694	12/03/2002	Lau et al.	606/194	
	AE	6,508,835	01/21/2003	Shaolian et al.	623/1.35	
	AF	6,514,281	02/04/2003	Blaeser et al.	623/1.12	
	AG	6,520,983	02/18/2003	Colgan et al.	623/1.11	
	AH	6,520,988	02/18/2003	Colombo et al.	623/1.35	
	AI	6,530,947	03/11/2003	Euteneuer et al.	623/1.11	
	AJ	6,533,805	03/18/2003	Jervis	623/1.11	
	AK	6,540,719	04/01/2003	Bigus et al.	604/96.01	
	AL	6,554,841	04/29/2003	Yang	606/108	
	AM	6,582,459	06/24/2003	Lau et al.	623/1.11	
	AN	6,589,262	07/08/2003	Honebrink et al.	606/191	
	AO	6,599,315	07/29/2003	Wilson	623/1.11	
	AP	6,602,226	08/05/2003	Smith et al.	604/103.05	
	AQ	6,607,506	08/19/2003	Kletschka	604/96.01	
	AR	6,613,067	09/02/2003	Johnson	606/194	
	AS	6,629,981	10/07/2003	Bui et al	606/108	
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FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER	DATE	COUNTRY		
	BA	03/017872 A1	03/06/2003	WIPO		
	BB	03/055414	07/10/2003	WIPO		
	BC	2 678 508 A1	01/08/1993	France		
	BD	297 01 758	05/07/1997	Germany		
OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)						
	CA	Foley et al., "Bifurcation Lesion Stenting", <i>The Thoraxcentre Journal</i> , Volume 8, Number 4, (1996)				
	CB	Schampaert, MD, Erick et al., "The V-Stent: A Novel Technique for Coronary Bifurcation Stenting", <i>Catheterization and Cardiovascular Diagnosis</i> , 39:320-326 (1996).				
*	CC	Pomerantz, MD, et al., "Distortion of Palmaz-Schatz Stent Geometry Following Side-Branch Balloon Dilation Through the Stent in a Rabbit Model", <i>Catheterization and Cardiovascular Diagnosis</i> , 40:422-426 (1997)				
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6 of 8

* Did not receive

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	AN					
	AO					
	AP					
	AQ					
	AR					
	AS					
OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)						
	CA		Palmaz, MD, et al., "Aortic Bifurcation Stenosis: Treatment with Intravascular Stents", <i>Journal of Vascular and Interventional Radiology</i> , Volume 2, Number 3, pp. 319-323 (August 1991)			
	CB		Oda, MD., et al., "Fork Stenting for Bifurcational Lesion", <i>Journal of Interventional Cardiology</i> , Volume 9, Number 6, pp.445-454 (December 1996)			
	CC		Nakamura et al., "Techniques for Palmaz-Schatz Stent Deployment in Lesions With a Large Side Branch", <i>Catheterization and Cardiovascular Diagnosis</i> , Volume 34, pp. 353-361 (1995)			
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						

UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY (COPIES ENCLOSED)		ATTY DOCKET NO.: S63.2B-11319-US01		APPLICATION NO. 10/784337	
		APPLICANT: Eidenschink, Weber, Jagger and Brown			
		FILING DATE: February 23, 2004		GROUP: Not Assigned	
UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY					
EXAM'S INIT.		APPLICATION NO.	FILING DATE	INVENTOR(S)	
	DA	10/375689	02/27/2003	Eidenschink	
	DB	10/747546	12/29/2003	Eidenschink et al.	
	DC				
	DD				
	DE				
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		FILING DATE: February 23, 2004		GROUP: Not Assigned		
US APPLICATIONS REALTED BY PRIORITY						
EXAM'S INIT		APPLICATION NO.	FILING DATE	PATENT NO.	INVENTOR(S)	FORM 1449/892 ENC
	EA					
	EB					
	EC					
	ED					
	EE					
	EF					
EXAMINER				DATE CONSIDERED		
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